

From: **Marlene-Rita** [Machado], in esse
Authorized Signatory, Beneficiary for: MARLENE RITA MACHADO©
1 Indian Canyon Road, Indian Canyon [near: CA 95024]
Hollister (24), California, u. S of A.

FILE ON DEMAND

Service by PRIORITY MAIL EXPRESS® EJ 627 939 521 US

To: **Mark B. Busby**, d.b.a. "CLERK OF COURT"
c/o: Office of the Clerk, United States District Court
280 South 1st Street, Room 2112 [near: CA 95113]
San Jose (13), California, u. S. of A.

SCANNED FILED

JUN 23 2022

**"UNITED STATES DISTRICT COURT"
"NORTHERN DISTRICT OF CALIFORNIA"**

CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA
SAN JOSE OFFICE

"KANYON SAYERS-ROODS,
POWER-OF-ATTORNEY FOR ANN-MARIE
SAYERS OF THE COSTANOAN INDIANS OF
INDIAN CANYON, ET AL.,"

(putative) Plaintiff,

vs.

"MARLENE RITA MACHADO",
(putative) Defendant.

[Account] Civil Action No. 22-CV03092-SVK

Lawful Direction to Dismiss Amended
Complaint for Fraud upon the Court and for
Lack of Subject Matter Jurisdiction.

Immediate Action Required by Clerk of Court

Place: Office of the Clerk, United States District Court,
280 South 1st Street, Room 2112, San Jose
(13), California state, u. S. of A.

Mandatory Administrative and Judicial Notice Required [Federal Rules of
Evidence, Rule 201] **of Fraud upon the Court, by Court Officers, including
the alleged clerk of the court and putative¹ plaintiff's attorney of record**

**To: All magistrates, clerks and employees of the above-styled "UNITED
STATES DISTRICT COURT":**

"Time cannot render valid an act **void** at its origin – Maxim of Law"

Mark B. Busby, in esse, d.b.a. "CLERK OF COURT", and **Richard G. Seeborg** [SBC #
102221], in esse, d.b.a. "CHIEF DISTRICT JUDGE" for the above-styled "UNITED STATES
DISTRICT COURT", hereinafter "COURT", located 280 South 1st Street, Room 2112 [near: CA
95113], San Jose, California state republic, united States of is hereby given **lawful Direction**²
to vacate the above-referenced Civil Action and **dismiss with prejudice** Plaintiff's so-called
"AMENDED COMPLAINT", i.e., "Case No. 22-CV03092-SVK", for **fraud upon the court**
and lack of subject matter jurisdiction.

¹ **Putative** (adjective) means commonly put forth or accepted as true on inconclusive grounds

² **Direction** means that which is imposed by directing; a guiding or authoritative instruction; **order** or **command**.
[State ex rel. Johnson v. Tilley, 137 Neb. 173, 288 N.W. 521, 524; Hughes v. Van Bruggen, 44 N.M. 534, 105 P.2d
494, 496.]

The aforesaid Lawful Direction is based on the common law of England [Civil Code, Sec. 22.2] and material Facts stated herein, the Points and Authorities cited below in support of this lawful direction; and, upon matters of which the officers of this "COURT" are required to take Judicial Notice.

Marlene-Rita [Machado], the live woman (hereinafter the Undersigned) is the beneficiary and duly-authorized Signatory for the cestui que vie trust MARLENE RITA MACHADO© (hereinafter MRM), who is named as "Defendant" in the **simulated legal process** (i.e., Case No. 22-CV03092-SVK) filed by the putative Plaintiff "**KANYON SAYERS-ROODS**". The Undersigned is here by special visitation (i.e., a **restricted appearance** in admiralty), on behalf of the aforesaid putative "Defendant", for the sole purpose of challenging the subject matter jurisdiction of this alleged "COURT".

There is no lawful requirement for the Undersigned to be a BAR attorney in order to challenge the subject matter jurisdiction of this alleged "COURT" on behalf of the aforesaid putative "Defendant", due to the material Fact the Undersigned is the beneficiary and authorized Signatory for MRM; and, is acting on behalf of MRM to defend its constitutionally-protected property rights at all times and places whatsoever, pursuant to the Seventh and Ninth Amendments to the Constitution of the United States (as amended A. D. 1819).

Mandatory Notice Required [Federal Rules of Evidence, Rule 201]

*63C Am. Jur. 2d: **Public Officers and Employees**, §247* "As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer. [1] Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts. [2] That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves. [3] and owes a fiduciary duty to the public. [4] It has been said that the fiduciary responsibilities of a public officer cannot be less than those of a private individual. [5] Furthermore, it has been stated that any enterprise undertaken by the public official who tends to weaken public confidence and undermine the sense of security for individual rights is against public policy. Fraud, in its elementary common law sense, is deceit and this is one of the meanings that fraud bears [483 U.S. 372] in the statute. See *United States v. Dial*, 757 F.2d 163, 168 (7th Cir. 1985) includes the deliberate concealment of material information in a setting of fiduciary obligation. A public official is a fiduciary toward the public, including, in the case of a judge, the litigants who appear before him and if he deliberately conceals material information from them, he is guilty of fraud. *McNally v. United States*, 483 U.S. 350 (1987)."

Point One: Improper and Defective Service of Summons

The putative Defendant was never properly served with a lawful summons with the congressionally-mandated U.S. district court seal affixed [28 U.S.C. § 1691].

Service of a summons, which is **defective on its face**, does not constitute proper service (see Point Two).

Without proper service of a lawful summons, or the consent by both parties, the COURT has never acquired subject matter jurisdiction necessary to hear the case or issue any lawful orders or judgment(s) in favor of the putative Plaintiff.

Point Two: Insufficient and Defective Process

Notwithstanding failure to properly serve the summons, the “SUMMONS IN A CIVIL ACTION” issued in “Case No. 22-CV03092-SVK” is **fatally defective** on its face, for lack of congressionally-mandated district court **seal** affixed thereto [28 U.S.C. § 1691], therefore, absent the willing consent of **both** parties, the COURT can **never** acquire subject matter jurisdiction necessary to issue any lawful orders or judgments in favor of the putative Plaintiff [see e.g., *Aetna Insurance Co. v. Hallock*, 73 U.S. 556 (1868) - lack of official court seal **voids** process].

All federal judges, magistrates, the clerk of the court **and** all practicing attorneys are, imputed **ipso jure**³, to know that **all** writs and process (including a “SUMMONS”) issuing from a court of the United States **shall** be under the seal of the court and signed by the clerk thereof; and, are **required by federal law** to have the lawful seal **mandated** by Congress affixed to them before they are considered to meet the requirements of substantive Due Process.

It is well-settled black letter law that the requirements for a “seal” **are not** the same as a “stamp”. A stamp uses ink; while a seal **does not** use ink, but is impressed into the paper, wax or a foil wafer “affixed thereto”. When federal law unambiguously uses the word “**seal**”, it can’t be interpreted to mean a stamp that uses ink.

The exact wording and spelling required for a lawful seal of a district court that must be affixed to all writs and process issuing from a court of the United States is specified in federal law by Congress; and, this wording is **mandatory**, not optional. The use of any court stamp or seal with **all** CAPITAL LETTERS **does not** constitute the lawful seal required by law for a U.S. district court and any summons with an all-CAPITAL LETTER **ink stamp** affixed to it is **fatally defective on its face**.

All federal judges, magistrates, the clerk of the court **and** all practicing attorneys are, imputed ipso jure, to know that a **summons** without the congressionally mandated U.S. district court seal affixed, **before** the service of such document is made, is **fatally defective** “on its face”.

All federal judges, magistrates, the clerk of the court **and** all practicing attorneys are also, imputed ipso jure, to know that jurisdiction of the subject matter is **derived from the law**. It can neither be waived nor conferred by consent of the parties. Objection that the court does not have jurisdiction of the subject matter may be made at any stage of the proceedings, and the right to make such objection is **never waived** [21 Am. Jur. 2d, Criminal Law § 379 (1965)].

All federal judges, magistrates, the clerk of the court **and** all practicing attorneys are imputed to know the foundational principle of American jurisprudence which holds: “**Ignorance of the law does not excuse misconduct in anyone, least of all in a sworn officer of the law.**” [see e.g., *In re McCowan*, (1917) 177 C. 93, 170 P. 1100].

All federal judges, magistrates, the clerk of the court **and** all practicing attorneys are, imputed ipso jure, to know the well-settled principle of federal criminal law, codified at 18 U.S.C. § 2, which states that: “It removes all doubt that one who puts in motion or assists in the illegal enterprise or causes the commission of an indispensable element of the offense by an innocent agent or instrumentality, is guilty as a principal even though he intentionally refrained from the direct act constituting the completed offense.”

All federal judges, magistrates, the clerk of the court **and** all practicing attorneys are imputed to know that **obstruction of justice** or **deprivation of any rights, privileges, or immunities** secured or protected by the Constitution or laws of the United States **under color of law** constitutes federal felonies and may be punishable by imprisonment for any term of years or for life, or both, or may be sentenced to death [18 U.S.C. §§ 242 and 1503].

³ The phrase “**ipso jure**” is Latin and means by the law itself; by the mere operation of law

All federal judges, magistrates, the clerk of the court and all practicing attorneys are imputed to know there is **no immunity**, judicial, governmental, contractually or otherwise, for any government officer, employee or agent, who acts in **bad faith**⁴, aids and abets **fraud** or **commits any other crime under color of law or color of office**.

Point Three: All Political Power is Inherent in the American People.

It is a fundamental principle of American jurisprudence that the **sovereignty** formerly held by the king of England in thirteen colonies in America devolved to the American People at the end of the Revolution.

“...at the Revolution, **the sovereignty devolved on the People**; and they are truly the sovereigns of the country, but they are sovereigns without subjects...with none to govern but themselves; the citizens of America are equal as fellow citizens, and as joint tenants in the sovereignty.” *Chisholm vs. Georgia*, (U.S.) 2 Dall. 419, 454 (1793)

“The People of this State, as the successors of its former sovereign, are entitled to **all the rights, which formerly belonged to the King by his prerogative**. Through the medium of their Legislature, they may exercise all the powers which previous to the Revolution could have been exercised either by the King alone, or by him in conjunction with his Parliament; subject only to those restrictions which have been imposed by the Constitution of this State or of the United States.” *Lansing v. Smith*, 21 D. 89, 4 Wend. 9 (1829) (New York)

It is self-evident that the **American Body Sovereign**, i.e., “**We the People**”, created the federal and state governments for the sole purpose of protecting the American People’s unalienable Rights and that **no** office was created under the authority delegated by the ABS to defile, derogate or destroy those Rights.

The congressionally-mandated **seal** for the district courts of the United States is the symbol of the sovereign power and authentication of the American Body Sovereign’s lawfully delegated judicial authority to said courts, which is the basis of all jurisdiction. When the congressionally-mandated **seal** is affixed to any process issuing from a court of the United States it confirms to all parties that the court is operating according to the express will of the ABS.

At common law a writ, which **was not** impressed with a seal was **void**, for the original writ which issued out of chancery in the name of the King was a grant of jurisdiction from the sovereign to the court to which it was returnable, and the seal to the writ was a symbol of the sovereign power and the authentication of the King’s commission, which was the basis of all jurisdiction. Judicial writs issued by the courts bore the **teste** in the name of the chief justice of the court by which they were issued, **and the seal of the court authenticated** the exercise of the delegated judicial authority [*Wolf v. Cook*, 40 Fed. 432 (1889)].

All federal judges, magistrates, the clerk of the court and all practicing attorneys are imputed to know that **bodies politic and corporate** are the most usual franchises known in American jurisprudence [3 Kent Comm. 459]. It is also true that the privileges so granted by the government to members of the bodies politic or corporate **do not** pertain to constituent Members of the ABS by common right. But what is meant by “common right”? Is it not a right which pertains to the ABS, i.e., the American People, by the **Common Law**, the investiture of which is not to be looked for in any special law, whether established by the Constitution or an

⁴ **Bad faith** is the opposite of “good faith”, generally implying or involving actual or constructive fraud, or a design to mislead or deceive another, or a neglect or refusal to fulfill some duty or some contractual obligation, not prompted by an honest mistake as to one’s rights or duties, but by some interested or sinister motive. [*State v. Griffin*, 100 S.C. 331, 84 S.E. 876; *Penn. Mutual L. Ins. Co. v. Mechanics’ Savings Bank & Trust Co.*, C.C.A. Tenn., 73 F. 653, 19 C.C.A. 316, 38 L.R.A. 33, 70; *Spiegel v. Beacon Participations*, 297 Mass. 398, 8 N.E. 2d 895, 907; see also: Black’s Law Dictionary, Revised Fourth Edition]

act of the Legislature? Coke says: "*De commun adroit* -- of common right -- that is, by the common law, because the common law is the best and most common birthright that the subject hath for the safeguard and defense not only of his goods, lands, and revenues, but of his wife and children. * * * This **common law of England** is sometimes called 'right', sometimes 'common right', and sometimes 'communis justitia'." [See e.g., *Spring Valley Waterworks v. Schottler*, 62 Cal. 69 (1883); 110 U.S. 347 (1884)].

Point Four: All Litigants are entitled to Substantive Due Process

All federal judges, magistrates and practicing attorneys are imputed, ipso jure, to know that substantive Due Process of Law **requires** that every litigant's claim is heard by a **fair and impartial** trier of fact and this is applicable to administrative as well as judicial proceedings, including the instant Matter [*Porter v. Singletary*, 49 F. 3d 1483 (1995)].

All federal judges, magistrates and practicing attorneys are also imputed, ipso jure, to know that a **court of limited jurisdiction** immediately loses subject matter jurisdiction where the judge or magistrate **does not** act impartially.

All federal judges, magistrates and practicing attorneys are imputed, ipso jure, to know that when a judge or magistrate of a court of limited jurisdiction acts in any case in which he (or she) **does not** have subject-matter jurisdiction, he (or she) is acting unlawfully, and without any judicial authority whatsoever [*United States v. Will*, 449 U.S. 200, 216 (1980); see also: *Cohens v. Virginia*, 19 U.S. (6 Wheat) 264 (1821)].

All federal judges, magistrates and practicing attorneys are imputed, ipso jure, to know that Due Process of Law is a requirement of the Constitution of the United States. **Violation of the Constitution of the United States by a judge deprives** that person from acting as a judge under the law. He (or she) is acting as a private person, and not in the capacity of being a judge [*Piper v. Pearson*, 2 Gray 120, cited in *Bradley v. Fisher*, 80 U.S. (13 Wall.) 335 (1872)].

All federal judges, magistrates and practicing attorneys are imputed, ipso jure, to know that though the law itself is fair on its face, and impartial in appearance, yet, if it is applied and administered by public authority with "an evil eye and an unequal hand", so as practically to make unjust and illegal discriminations between people or persons in similar circumstances, material to their rights, the denial of equal justice is still within the prohibition of the federal Constitution [*Yick Wo v. Hopkins*, 118 U. S. 356 (1886)].

All federal judges, magistrates and practicing attorneys are imputed, ipso jure, to know that when the face of the Record of the case clearly testifies the court **does not** have subject-matter jurisdiction, then the judge and those who advise and act with him, or execute his process, are **trespassers** and are **personally liable** for damages [*Elliott v. Lessee of Piersol*, 26 U.S. 328, 340 (1828)].

All federal judges, magistrates and practicing attorneys are also imputed, ipso jure, to know that "any judge who acts without jurisdiction is engaged in an **act of treason**" [*United States v. Will*, 449 U.S. 200, 216 (1980); *Cohens v. Virginia*, 19 U.S. (6 Wheat) 264 (1821)].

All federal judges, magistrates and practicing attorneys are also imputed, ipso jure, to know that engaging in an **act of treason** against the United States Constitution by any citizen of the United States is an **act of war** against the United States [*Cooper v. Aaron*, 358 U.S. 1 (1958)].

Point Five: Fraud vitiates all it touches.

All federal judges, magistrates and practicing attorneys are imputed, ipso jure, to know that a judge or magistrate **is not** the court. A judge or magistrate is a state judicial officer, paid by the State to act impartially and lawfully. A judge or magistrate is also an officer of the court, as are all attorneys. Whenever any officer of the court commits fraud during a proceeding in the court, he (or she) is engaged in "**fraud upon the court**".

All federal judges, magistrates and practicing attorneys are imputed, ipso jure, to know that fraud on the court, or fraud upon the court, is where a **material misrepresentation has been made to the court, or by the court itself**. The main requirement is that the impartiality of the court has been so disrupted that it **can not** perform its tasks without bias or prejudice.

“Fraud upon the court” has been defined by the Seventh Circuit Court of Appeals to “embrace that species of fraud which does, or attempts to, defile the court itself, or is a **fraud perpetrated by officers of the court** so that the judicial machinery cannot perform in the usual manner its impartial task of adjudging cases that are presented for adjudication.” [Kenner v. C.I.R., 387 F.3d 689 (1968); also see: 7 Moore's Federal Practice, 2d Ed., p. 512, ¶60.23]. The Seventh Circuit further stated “a decision produced by fraud upon the court is not in essence a decision at all, and never becomes final.”

In the instant commercial Matter (i.e., Case Number 22-CV03092-SVK), **if** the “CHIEF DISTRICT JUDGE” **Eric Charles Taylor**, Esq. [SBC #140568] and the “CLERK OF COURT” **Mark B. Busby** openly collude with the live agent of the putative Plaintiff “KANYON SAYERS-ROODS” in committing **fraud upon the court** by:

- (1) the “CLERK” knowingly, corruptly and maliciously issuing a “SUMMONS IN A CIVIL ACTION” without the congressionally-mandated seal of the U.S. district court, which by federal law is **required** to give subject matter jurisdiction to the court;
- (2) the “JUDGE” knowingly, corruptly and maliciously allowing the so-called “AMENDED COMPLAINT” to proceed against the putative Defendant, without the above-styled limited jurisdiction “COURT” having subject matter on the face of the record, in violation of the substantive due process rights of the putative Defendant;
- (3) the “JUDGE” knowingly, corruptly and maliciously allowing the live agent of the putative Plaintiff “KANYON SAYERS-ROODS” to practice law before the COURT **without** a valid “license” issued by an executive agency of the State of California [Business and Professions Code, Sec. 6067];
- (4) the “JUDGE”, the “CLERK” and the live agent of the putative Plaintiff “KANYON SAYERS-ROODS” knowingly, corruptly and maliciously conspiring to **throw the putative Defendant under the bus**⁵ by suppressing the material Fact that the lack of the congressionally-mandated U.S. district court seal on the summons deprived the court of subject matter jurisdiction [see: Rules of Professional Conduct, **Rule 5-220 Suppression of Evidence**];
- (5) the “JUDGE”, the “CLERK” and the live agent of the putative Plaintiff “KANYON SAYERS-ROODS” knowingly, **corruptly and maliciously colluding** in a manner they knew, ipso jure, perverted or obstructed justice [see e.g., 18 U.S.C. §§ 242, 1001, 1512-1513, et al.];

The foregoing acts and actions of the above-named officers of the COURT will constitute **fraud upon the court** and are **clearly prejudicial** to the substantive due process rights of the putative Defendant; even, to the average layman who **is not** trained in the law.

“Fraud vitiates everything.” *Boyce's Executors v. Grundy*, 28 U.S. (3 Pet. 210) 210 (1830)

“Fraud destroys the validity of everything into which it enters...”
Nudd v. Burrows, 91 U.S. 426 (1875)

⁵ To throw (someone) under the bus means to exploit someone's trust for one's own purpose, gain, or agenda; to harm someone through deceit or treachery.

“Fraud vitiates the most solemn contracts, documents and even judgments.”

United States v. Throckmorton, 98 U.S. 61 (1878)

“Fraud vitiates every transaction and all contracts. Indeed, the principle is often stated, in broad and sweeping language, that fraud destroys the validity of everything into which it enters.” 37 Am. Jur. 2d, Sec. 8

Point Six: Without Subject Matter All Orders and Judgments are Void

All federal judges, magistrates and practicing attorneys are imputed by operation of law to know that courts are constituted by constitutional and statutory authority and they cannot beyond the power delegated to them. If they act beyond that authority, and certainly in contravention of it, their judgments and orders are regarded as nullities. They are not voidable, but simply **void**, and this even prior to reversal [*Elliott v. Lessee of Piersol*, 26 U.S. 328, 340 (1828); *Old Wayne Life Ass'n v. McDonough*, 204 U. S. 8 (1907); *Vallely v. Northern Fire & Marine Ins. Co.*, 254 U.S. 348 (1920)].

All federal judges, magistrates and practicing attorneys are imputed, ipso jure, know that subject matter jurisdiction is fundamental and a judgment rendered by a court that does not have jurisdiction to hear is **void** ab initio.

All federal judges, magistrates and practicing attorneys are imputed, ipso jure, to know that where there is no jurisdiction over the subject matter, there is, as well, no discretion to ignore that lack of jurisdiction. [*Joyce v. United States*, 474 F.2d 215, 219 (1973)].

All federal judges, magistrates and practicing attorneys are imputed, ipso jure, to know that where there is **no jurisdiction**, there is no judge; the proceeding is as nothing. Such has been the law from the days of the Marshalsea [10 Coke 68; also, *Bradley v. Fisher*, 13 Wall 335, 351.” *Manning v. Ketcham*, 58 F.2d 948].

All federal judges, magistrates and practicing attorneys are imputed, ipso jure, to know that a judgment is absolutely **void** if it appears that there was a want of jurisdiction in the court rendering it either of the subject matter or the person of the defendant.

All federal judges, magistrates and practicing attorneys are imputed, ipso jure, to know that when a court that is divested of jurisdiction undertakes to pronounce a judgment in a cause which the court did not have jurisdiction to hear or try, such judgment is **void ab initio**, even though affirmed on appeal.

Whereas, due to the material Fact that the “SUMMONS IN A CIVIL ACTION” issued by the Deputy Clerk “CYNTHIA HERNANDEZ” in this commercial Matter clearly **does not** have the congressionally-mandated seal of a district court of the United States impressed thereon, it **does not** comply with the substantive requirements of federal law [28 U.S.C. § 1691]; and, as a result the COURT **never** acquired subject matter jurisdiction necessary to issue any lawful orders or judgments in favor of the putative Plaintiff.

For all the foregoing reasons the Undersigned **lawfully requires** the Clerk of this COURT, **as Trustee** in this private commercial Matter, to promptly vacate Case No. 22-CV03092-SVK and **dismiss** the “AMENDED COMPLAINT” in said case **with prejudice** for the reasons stated herein; and to notify the Undersigned, in writing, that this has been done.

The Undersigned hereby specifically reserves the Right, on behalf of aforementioned putative Defendant, to claim any and **all** applicable Remedies, judicial and non-judicial [Commercial Code, Sec. 1-201(b)(32)], against any allegedly “licensed” attorney who chooses to appear in this commercial Matter, who further attempts to submit any invalid, frivolous and **fraudulent claim** before this COURT in the future, with the intent to deceive both the court and the Undersigned.

Be advised, in the event the officers of this COURT attempt to proceed in this commercial Matter **under color of law**, without proof of subject matter properly entered into the case

Record by the live agent of the putative Plaintiff, the Undersigned is **required** by federal law [18 U.S.C. §§ 4, 242 and 2382 (misprision of felony; deprivation of constitutionally-protected rights **under color of law**; and, misprision of treason), and 10 U.S.C. §§ 252-253 (Use of militia and armed forces to enforce Federal constitutionally-protected unalienable Rights)] to submit a **Criminal Complaint**, with a verified Affidavit detailing the crimes committed therein, to the appropriate U.S. military authorities and the lawful **Commander-in-Chief** (i.e., Donald John Trump).

The Undersigned reserves the aforementioned putative Defendant's right to file a separate civil action for damages or a counter-claim / cross-complaint against all court officers involved in this commercial Matter should those remedies become necessary.

The Undersigned certifies, under the pains and penalties for making or giving false testimony, as provided for in the general Laws of the de jure republic state of California that the foregoing is true, correct and materially complete.

Done and dated by my hand on this **twenty second** day of the Sixth Month, A. D. two thousand and twenty-two, with all constitutionally-protected rights reserved, as well as, all statutory rights, which are secured by private international law, including the right to make final determination of all definitions and intent stated herein, for and on behalf of the cestui que vie trust MARLENE RITA MACHADO©, in full harmony with public policy [Commercial Code, Sec. 1-308], without prejudice.

By: 
.....
Marlene-Rita [Machado], in esse
(Not an Accommodation Party, Surety etc.)
Authorized Signatory, Beneficiary
for: MARLENE RITA MACHADO©

Annexed documents: true copy of Simulated Legal Process styled as "SUMMONS IN A CIVIL ACTION" [CASE NUMBER 22-CV03092-SVK] marked: **"I decline this commercial offer for fraud and return it to the Trustee."** Complete copy returned to Clerk of the Court. Simulated Legal Process (top sheet) returned to parties below. Plus Proof of Service and mailing la

Copy by Certified Mail to:

Susan Gregory van Keulen [SBC #136060], in esse, d.b.a. "U.S. MAGISTRATE JUDGE"
"UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA"
c/o 280 S 1st Street [near: CA 95113]
San Jose (13), California, u. S. of A.

Richard G. Seeborg [SBC # 102221], in esse, d.b.a. "CHIEF DISTRICT JUDGE"
"UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA"
c/o 280 S 1st Street [near: CA 95113]
San Jose (13), California, u. S. of A.

Honorable **Donald John Trump**, in his capacity as Commander-in-Chief
c/o "THE PENTAGON"
Attn.: General **David H. Berger** (U.S.M.C.)
7400 Pentagon [near: DC 20301-7400]
Washington city (01), District of Columbia

Honorable **Donald John Trump**, in his capacity as Commander-in-Chief
c/o Mar-A-Lago (i.e., "Winter White House")
1100 South Ocean Boulevard [near: FL 33480]
Palm Beach (80), Florida, u. S. of A.

United States Navy, Judge Advocate General's Office
Attn.: Vice Admiral **Darse E. Crandall Jr.**
c/o 1322 Patterson Avenue, Suite 3000 [near: DC 20374-5066]
Washington Navy Yard (74), District of Columbia
Navy CIS <ncistipline@ncis.navy.mil>

UNITED STATES DISTRICT COURT

for the

Northern District of California ☒

KANYON SAYERS-ROODS,
POWER-OF-ATTORNEY FOR ANN-MARIE SAYERS
OF THE COSTANOAN INDIANS OF INDIAN
CANYON, ET AL.

Plaintiff(s)

v.

MARLENE RITA MACHADO

Defendant(s)

Civil Action No. 22-CV03092-SVK

To: (Defendant's name and address)

MARLENE RITA MACHADO
INDIAN CANYON ROAD
1, ENTEREE OR TRAILER HOME WITH A DMV LICENSE NO. 1MF5173)
INDIAN CANYON, HOLLISTER, CA 95024

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

1 INDIAN CANYON ROAD
INDIAN CANYON, HOLLISTER, CA 95024
(EMAIL) KSR@COSTANOAN.ORG

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: JUN 01 2022

CLERK OF COURT
MARK B. BUSBY
CYNTHIA G. HERNANDEZ

Signature of Clerk or Deputy Clerk

CHAMBER'S
COPY

Rescission for cause of fraud: "I decline
this commercial offer for fraud and
return to the Trustee."

SUMMONS IN A CIVIL ACTION

By Marlene-Rita [Machado], in esse
(Not an Accommodation Party,
Accommodation Party, Beneficiary
for MARLENE RITA MACHADO ©

Rescission for cause of fraud: "I decline
this commercial offer for fraud and
return it to the Trustee."

By: *Marlene Machado*

Marlene-Rita [Machado], in esse
(Not an Accommodation Party,
Surety etc.)

Authorized Signatory, Beneficiary
for: MARLENE RITA MACHADO©

FILE ON DEMAND

From: **Marlene-Rita** [Machado], in esse
Authorized Signatory, Beneficiary for: MARLENE RITA MACHADO©
1 Indian Canyon Road, Indian Canyon [near: CA 95024]
Hollister (24), California, u. S of A.

To: **Mark B. Busby**, d.b.a. "CLERK OF COURT"
c/o: Office of the Clerk, United States District Court
280 South 1st Street, Room 2112 [near: CA 95113]
San Jose (13), California, u. S. of A.

**"UNITED STATES DISTRICT COURT"
"NORTHERN DISTRICT OF CALIFORNIA"**

"KANYON SAYERS-ROODS,
POWER-OF-ATTORNEY FOR ANN-MARIE
SAYERS OF THE COSTANOAN INDIANS OF
INDIAN CANYON, ET AL.,"
(putative) Plaintiff,

vs.

"MARLENE RITA MACHADO",
(putative) Defendant.

[Account] Civil Action No. 22-CV03092-SVK

Lawful Direction to Dismiss Amended
Complaint for Fraud upon the Court and for
Lack of Subject Matter Jurisdiction.

PROOF OF SERVICE - ACKNOWLEDGMENT OF SERVICE

The undersigned, certifies and declares that i am over the age of 18 years of age and
domiciled on the land of the California state republic at Richmond,
California state republic and not a
party to the above-entitled cause.

On the Twenty Second day of June A.D. 2022 undersigned served a true copy of:
"Lawful Direction to Dismiss Amended Complaint for Fraud upon the Court and for Lack of
Subject Matter Jurisdiction" by:

(a) depositing it in the United States Mail in a sealed envelope with the postage thereon
fully prepaid to the following men, women and live agents:

☒ **Mark B. Busby**, d.b.a. "CLERK OF COURT"
c/o: Office of the Clerk, United States District Court
280 South 1st Street, Room 2112 [near: CA 95113]
San Jose (13), California, u. S. of A.

- ☒ Kanyon of the house of Sayers-Roods,
Putative POA ref:
"KANYON SAYERS-ROODS,
POWER-OF-ATTORNEY FOR ANN-MARIE
SAYERS OF THE COSTANOAN INDIANS OF
INDIAN CANYON, ET AL.,"
c/o 1 Indian Canyon Road, Indian Canyon [near: CA 95024]
Hollister (24), California, u. S of A.

- ☒ By emailing to the address given below from account: ~~BLKKAMARO@YAHOO.com~~
and account Living Law Society @ pm.me.

1 INDIAN CANYON ROAD
INDIAN CANYON, HOLLISTER, CA 95024
(EMAIL) KSR@COSTANOAN.ORG

Copied to: emcpor@cand.uscourts.gov for email routing to the clerk of the court:

Mark B. Busby, d.b.a. "CLERK OF COURT"
c/o: Office of the Clerk, United States District Court
280 South 1st Street, Room 2112 [near: CA 95113]
San Jose (13), California, u. S. of A.

Notice to Principal is Notice to Agent, Notice to Agent is Notice to Principal;

- ☒ Mailing to Kanyon's last known address:

Kanyon of the house of Sayers-Roods,
Putative POA ref:
"KANYON SAYERS-ROODS,
POWER-OF-ATTORNEY FOR ANN-MARIE
SAYERS OF THE COSTANOAN INDIANS OF
INDIAN CANYON, ET AL.,"
c/o 1615 Pearson St., [near: CA 95122]
San Jose (22), California, u. S of A.

Mail Service by: _____

- ☐ Place of Mailing:

Executed on June twenty second A.D. 2022 at: Grass Valley,
_____ California state republic.

(b)

- ☐ By personally delivering it to the man, woman, agent (s) indicated below;

Kanyon of the house of Sayers-Roods,
Putative Power of Attorney ref:
"KANYON SAYERS-ROODS,
POWER-OF-ATTORNEY FOR ANN-MARIE
SAYERS OF THE COSTANOAN INDIANS OF
INDIAN CANYON, ET AL.,"

☐ At a location near 1 Indian Canyon Road, Indian Canyon [near: CA 95024], Hollister
(24), California state republic , u. S of A. Executed on _____,
A.D. 2022

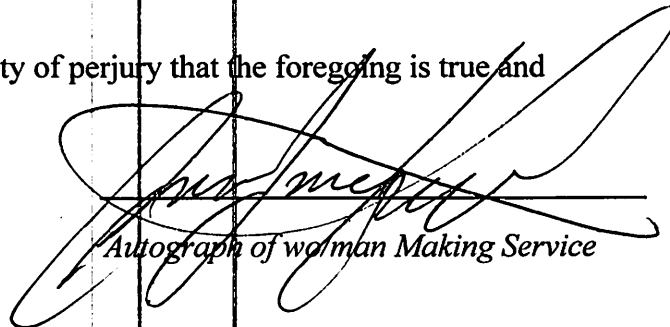
☐ Or other address: _____ executed
on _____, A.D. 2022

Please check boxes if service is made by mail:

☒ undersigned certifies that I am NOT a member of the Bar of the United States
District Court, Central District of California or of the STATE OF CALIFORNIA
Corp.

☒ undersigned certifies that I am NOT a member of the Bar of this Court at whose direction
the service was made.

☒ undersigned certifies under the penalty of perjury that the foregoing is true and
correct.


Autograph of woman Making Service

Marlene-Rita [Machado], in esse
Authorized Signatory, Beneficiary for: MARLENE RITA MACHADO©
1 Indian Canyon Road, Indian Canyon [near: CA 95024]
Hollister (24), California, u. S of A., w/o UNITED STATES, ZIP Exempt

Service by PRIORITY MAIL EXPRESS® EJ 627 939 521 US

To: Mark B. Busby, d.b.a. "CLERK OF COURT"
c/o: Office of the Clerk, United States District Court
280 South 1st Street, Room 2112 [near: CA 95113]
San Jose (13), California, u. S. of A.

Marlene-Rita [Machado], in esse
Authorized Signatory, Beneficiary for: MARLENE RITA MACHADO©
1 Indian Canyon Road, Indian Canyon [near: CA 95024]
Hollister (24), California, u. S of A., w/o UNITED STATES, ZIP Exempt

Susan Gregory van Keulen [SBC #136060], in esse,
d.b.a. "U.S. MAGISTRATE JUDGE"
"UNITED STATES DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA"
c/o 280 S 1st Street [near: CA 95113]
San Jose (13), California, u. S. of A.

Marlene-Rita [Machado], in esse
Authorized Signatory, Beneficiary for: MARLENE RITA MACHADO©
1 Indian Canyon Road, Indian Canyon [near: CA 95024]
Hollister (24), California, u. S of A., w/o UNITED STATES, ZIP Exempt

Richard G. Seeborg [SBC # 102221], in esse, d.b.a. "CHIEF
DISTRICT JUDGE"
"UNITED STATES DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA"
c/o 280 S 1st Street [near: CA 95113]
San Jose (13), California, u. S. of A.

Marlene-Rita [Machado], in esse
Authorized Signatory, Beneficiary for: MARLENE RITA MACHADO©
1 Indian Canyon Road, Indian Canyon [near: CA 95024]
Hollister (24), California, u. S of A., w/o UNITED STATES, ZIP Exempt

Honorable Donald John Trump, in his capacity as Commander-in-Chief
c/o "THE PENTAGON"
Attn.: General David H. Berger (U.S.M.C.)
7400 Pentagon [near: DC 20301-7400]
Washington city (01), District of Columbia

Marlene-Rita [Machado], in esse
Authorized Signatory, Beneficiary for: MARLENE RITA MACHADO©
1 Indian Canyon Road, Indian Canyon [near: CA 95024]
Hollister (24), California, u. S of A., w/o UNITED STATES, ZIP Exempt

Honorable Donald John Trump, in his capacity as Commander-in-Chief
c/o Mar-A-Lago (i.e., "Winter White House")
1100 South Ocean Boulevard [near: FL 33480]
Palm Beach (80), Florida, u. S. of A.

Marlene-Rita [Machado], in esse
Authorized Signatory, Beneficiary for: MARLENE RITA MACHADO©
1 Indian Canyon Road, Indian Canyon [near: CA 95024]
Hollister (24), California, u. S of A., w/o UNITED STATES, ZIP Exempt

United States Navy, Judge Advocate General's Office
Attn.: Vice Admiral **Darse E. Crandall Jr.**
c/o 1322 Patterson Avenue, Suite 3000 [near: DC 20374-5066]
Washington Navy Yard (74), District of Columbia
Navy CIS <ncistipline@ncis.navy.mil>